

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

STATE OF NEW YORK, *et al.*,

*Plaintiffs,*

v.

DONALD J. TRUMP, *et al.*,

*Defendants.*

No. 1:25-cv-11221-WGY

**PLAINTIFF STATES' MOTION FOR SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56 and Local Rule 7.1, plaintiffs New York, Massachusetts, Arizona, California, Colorado, Connecticut, Delaware, the District of Columbia, Illinois, Maine, Maryland, the People of the State of Michigan, Minnesota, New Jersey, New Mexico, Oregon, Rhode Island, and Washington (States) respectfully move for entry of summary judgment in their favor on their claims in Counts I and II of the Amended Complaint (ECF 141) that Agency Defendants violated the Administrative Procedure Act through their decisions to indefinitely pause all wind-energy permitting pending an extra-statutory assessment pursuant to § 2(a) of the Presidential Memorandum entitled *Temporary Withdrawal of All Areas on the Outer Continental Shelf from Offshore Wind Leasing and Review of the Federal Government's Leasing and Permitting Practices for Wind Projects*, 90 Fed. Reg. 8363 (Jan. 29, 2025) (Wind Directive) (ECF 165-2, 165-5, 165-7, 165-9). Specifically, each Agency Defendant's decision to indefinitely pause wind-energy permitting is arbitrary and capricious, contrary to law, and exceeds Agency Defendants' authority under numerous laws and regulations that require Agency Defendants to follow specific timelines and standards in permitting wind-energy projects.

In support of this summary judgment motion, the States rely on the memorandum of law, declarations, and evidence filed in support of this motion.

The Court has already scheduled a motion hearing on the parties' cross-motions for summary judgment for September 4, 2025, at 2:30 pm. ECF 157.

Wherefore, the States respectfully request that the Court vacate and set aside Agency Defendants' unlawful decisions to indefinitely pause all wind-energy permitting pursuant to the Wind Directive.

Respectfully submitted,

August 8, 2025

**LETITIA JAMES**

*Attorney General of New York*

By: /s/ Michael J. Myers

Michael J. Myers\*

*Senior Counsel*

Laura Mirman-Heslin\*

Rene F. Hertzog\*

Joya C. Sonnenfeldt\*

*Assistant Attorneys General*

Environmental Protection Bureau

The Capitol

Albany, NY 12224

(518) 776-2382

[Michael.Myers@ag.ny.gov](mailto:Michael.Myers@ag.ny.gov)

*Counsel for the State of New York*

**ANDREA JOY CAMPBELL**

*Attorney General of Massachusetts*

By: /s/ Turner H. Smith

Turner H. Smith, BBO No. 684750

*Assistant Attorney General & Deputy Chief*

Nathaniel Haviland-Markowitz, BBO. No.

713940

*Assistant Attorney General*

Jonathan Whitney, BBO No. 694760

*Special Assistant Attorney General*

Energy and Environment Bureau

Office of the Attorney General

1 Ashburton Pl.

Boston, MA 02108

(617) 963-2277

[Turner.Smith@mass.gov](mailto:Turner.Smith@mass.gov)

*Counsel for the Commonwealth of  
Massachusetts*

**KRISTIN K. MAYES**

*Attorney General of Arizona*

By: /s/ Mary M. Curtin

Mary M. Curtin\*

*Senior Litigation Counsel*

Arizona Attorney General's Office

2005 North Central Avenue

Phoenix, AZ 85004

(602) 542-3333

[Mary.Curtin@azag.gov](mailto:Mary.Curtin@azag.gov)

*Counsel for the State of Arizona*

**ROB BONTA**

*Attorney General of California*

By: /s/ Kate M. Hammond

Kate M. Hammond\*

*Deputy Attorney General*

Robert Swanson\*

*Acting Supervising Deputy Attorney General*

Jamie Jefferson\*

*Deputy Attorney General*

Office of the Attorney General

300 South Spring Street, Suite 1702

Los Angeles, CA 90013

(213) 269-6531

[Kate.Hammond@doj.ca.gov](mailto:Kate.Hammond@doj.ca.gov)

[Robert.Swanson@doj.ca.gov](mailto:Robert.Swanson@doj.ca.gov)

[Jamie.Jefferson@doj.ca.gov](mailto:Jamie.Jefferson@doj.ca.gov)

*Counsel for the State of California*

**PHILIP J. WEISER**

*Attorney General of Colorado*

By: /s/ Carrie Noteboom

Carrie Noteboom\*

*Assistant Deputy Attorney General*

Jessica L. Lowrey\*

*First Assistant Attorney General*

Ralph L. Carr Judicial Center

1300 Broadway, 10th Floor

Denver, CO 80203

(720) 508-6288 (Noteboom)

(720) 508-6167 (Lowrey)

[Carrie.Noteboom@coag.gov](mailto:Carrie.Noteboom@coag.gov)

[Jessica.Lowrey@coag.gov](mailto:Jessica.Lowrey@coag.gov)

FAX: (720) 508-6040

*Counsel for the State of Colorado*

**WILLIAM TONG**

*Attorney General of Connecticut*

By: /s/ Jill Lacedonia

Jill Lacedonia\*

*Assistant Attorney General*

165 Capitol Avenue

Hartford, CT 06106

(860) 808-5250

[Jill.Lacedonia@ct.gov](mailto:Jill.Lacedonia@ct.gov)

*Counsel for the State of Connecticut*

**KATHLEEN JENNINGS**

*Attorney General of Delaware*

By: /s/ Ian R. Liston

Ian R. Liston\*

*Director of Impact Litigation*

Vanessa L. Kassab\*

*Deputy Attorney General*

Ralph Durstein III\*

*Deputy Attorney General*

Delaware Department of Justice

820 N. French Street

Wilmington, DE 19801

(302) 683-8899

[Ian.Liston@delaware.gov](mailto:Ian.Liston@delaware.gov)

*Counsel for the State of Delaware*

**BRIAN L. SCHWALB**

*Attorney General of the District of  
Columbia*

By: /s/ Estefania Y. Torres Paez

Estefania Y. Torres Paez, BBO No. 705952

*Assistant Attorney General*

Office of the Attorney General

for the District of Columbia

400 6th Street, N.W., 10th Floor

Washington, D.C. 20001

[Estefania.TorresPaez@dc.gov](mailto:Estefania.TorresPaez@dc.gov)

*Counsel for the District of Columbia*

**KWAME RAOUL**

*Attorney General of Illinois*

By: /s/ Jason E. James

Jason E. James\*

*Assistant Attorney General*

Office of the Attorney General

Environmental Bureau

201 W. Pointe Drive, Suite 7

Belleville, IL 62226

(217) 843-0322

[Jason.James@ilag.gov](mailto:Jason.James@ilag.gov)

*Counsel for the State of Illinois*

**AARON M. FREY**

*Attorney General of Maine*

By: /s/ Robert Martin

Robert Martin\*

*Assistant Attorney General*

6 State House Station

Augusta, ME 04333

(207) 626-8579

[Robert.Martin@maine.gov](mailto:Robert.Martin@maine.gov)

*Counsel for the State of Maine*

**ANTHONY G. BROWN**

*Attorney General of Maryland*

By: /s/ Steven J. Goldstein

Steven J. Goldstein\*

*Assistant Attorney General*

Office of the Attorney General of  
Maryland

200 Saint Paul Place, 20th Floor

Baltimore, MD 21202

(410) 576-6414

[sgoldstein@oag.state.md.us](mailto:sgoldstein@oag.state.md.us)

*Counsel for the State of Maryland*

**KEITH ELLISON**

*Attorney General for the State of  
Minnesota*

By: /s/ Catherine Rios-Keating

Catherine Rios-Keating\*

*Special Assistant Attorney General*

Environmental and Natural

Resources Division

445 Minnesota Street, Suite 1800

Saint Paul, MN 55101

(651) 300-7302

[Catherine.Rios-Keating@ag.state.mn.us](mailto:Catherine.Rios-Keating@ag.state.mn.us)

*Counsel for the State of Minnesota*

**DANA NESSEL**

*Attorney General of Michigan*

By: /s/ Lucas Wollenzien

Lucas Wollenzien\*

Michael Moody\*

*Assistant Attorneys General*

Michigan Department of Attorney General

P.O. Box 30755

Lansing, MI 48909

(517) 335-7627

[WollenzienL@michigan.gov](mailto:WollenzienL@michigan.gov)

[Moodym2@michigan.gov](mailto:Moodym2@michigan.gov)

*Counsel for the People of the State of  
Michigan*

**MATTHEW J. PLATKIN**

*Attorney General for the State of New  
Jersey*

By: /s/ Terel L. Klein

Terel L. Klein\*

*Deputy Attorney General*

Office of the Attorney General

25 Market Street, 7<sup>th</sup> Floor

Trenton, NJ 08625

(609) 376-2818

[Terel.Klein@law.njoag.gov](mailto:Terel.Klein@law.njoag.gov)

*Counsel for the State of New Jersey*

**RAÚL TORREZ**

*Attorney General of New Mexico*

By: /s/ William Grantham

William Grantham\*

*Assistant Attorney General*

408 Galisteo Street

Santa Fe, NM 87501

(505) 717-3520

[wgrantham@nmdoj.gov](mailto:wgrantham@nmdoj.gov)

*Counsel for the State of New Mexico*

**DAN RAYFIELD**

*Attorney General of Oregon*

By: /s/ Paul Garrahan

Paul Garrahan\*

*Attorney-in-Charge*

Natural Resources Section

Oregon Department of Justice

1162 Court Street NE

Salem, OR 97301-4096

(503) 947-4540

[Paul.Garrahan@doj.oregon.gov](mailto:Paul.Garrahan@doj.oregon.gov)

*Counsel for the State of Oregon*

**PETER F. NERONHA**

*Attorney General of Rhode Island*

By: /s/ Nicholas M. Vaz

Nicholas M. Vaz, BBO No. 693629

*Special Assistant Attorney General*

Office of the Attorney General

Environmental and Energy Unit

150 South Main Street

Providence, RI 02903

(401) 274-4400 ext. 2297

[nvaz@riag.ri.gov](mailto:nvaz@riag.ri.gov)

*Counsel for the State of Rhode Island*

**NICHOLAS W. BROWN**

*Attorney General of Washington*

By: /s/ Yuriy Korol

Yuriy Korol\*

*Assistant Attorney General*

Washington Attorney General's Office

Environmental Protection Division

800 5th Ave Ste. 2000 TB-14

Seattle, WA 98104-3188

(206) 332-7098

[Yuriy.Korol@atg.wa.gov](mailto:Yuriy.Korol@atg.wa.gov)

*Counsel for the State of Washington*

*\*admitted pro hac vice*

**CERTIFICATE OF SERVICE & RULE 7.1 CERTIFICATION**

I, Nathaniel Haviland-Markowitz, certify that this document was filed through the CM/ECF system and will be sent electronically to the registered participants as identified in the Notice of Electronic Filing (NEF). I further certify that counsel for Plaintiffs conferred with counsel for Defendants, who have indicated they plan to oppose this motion.

/s/ Nathaniel Haviland-Markowitz

Nathaniel Haviland-Markowitz, BBO No. 713940

Assistant Attorney General

Energy and Environment Bureau

Office of the Attorney General

Commonwealth of Massachusetts